

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

CONSEJO DE SALUD DE
PUERTO RICO, INC., *et al.*,

Plaintiffs,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

Case No. 18-cv-1045 (GAG)

**CONSENT MOTION FOR CONTINUANCE OF ORAL ARGUMENT ON
DEFENDANTS' MOTION TO DISMISS**

Defendants United States of America and Alex M. Azar II, in his official capacity as Secretary of Health & Human Services, by and through the undersigned counsel, respectfully move the Court for a short continuance of the oral argument set for August 2, 2018. To the extent permitted by the Court's calendar, Defendants respectfully propose August 7-9, 2018, as alternative dates for the argument. Defendants have contacted counsel of record for plaintiffs Consejo de Salud de Puerto Rico, Eduardo Martínez-Tull, Víctor Montalvo-Martell, and the Commonwealth of Puerto Rico (collectively, "Plaintiffs"), as well as *amicus*, who do not object to this request for a short continuance until August 7-9, 2018.

This short continuance is appropriate as it would provide the parties some additional time to review the latest filings and prepare for argument. As this Court is aware, the Resident Commissioner of Puerto Rico's response to Defendants' motion to dismiss is due July 25, 2018, *see* ECF No. 32, and Defendants' reply memorandum in support of its motion to dismiss is due July 27, 2018, *see* ECF No. 35. Moreover, undersigned counsel would benefit from a short continuance, given that he has various litigation deadlines and work travel in late July and early

August—including a hearing in San Francisco, deadlines in a Freedom of Information Act case, a mediation deadline, and a motion to dismiss an adversary complaint in the PROMESA Title III proceeding—and that he will be traveling from his office in Washington, D.C. to attend the argument. Finally, a short continuance until August 7-9, 2018, is consistent with the Court’s stated intention to set an argument “at a date in early August,” *see* ECF No. 32, and is acceptable to all parties involved.

Defendants certify that this request is made in good faith and, given that Plaintiffs and *amicus* have no objection to this request, Defendants submit that Plaintiffs will not be prejudiced by this short continuance.

For these reasons, to the extent permitted by the Court’s calendar, Defendants respectfully ask the Court to reschedule the oral argument for August 7-9, 2018.

Dated: July 12, 2018

Respectfully submitted,

CHAD A. READLER
Acting Assistant Attorney General

ERIC WOMACK
Assistant Branch Director

/s/ César A. López-Morales
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify, pursuant to Local Civil Rule 5.1(b), that on July 12, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel for all parties in this action.

/s/ César A. López-Morales
CÉSAR A. LÓPEZ-MORALES (DPR# G02704)
U.S. Department of Justice